

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-090773

04/19/2012

HONORABLE TIMOTHY J. RYAN

CLERK OF THE COURT
I. Ostrander
Deputy

IN RE THE MATTER OF
JEFFREY ENEBOE

JEFFREY ENEBOE
1642 E BRUCE AVENUE
GILBERT AZ 85234

AND

ALISHA FREUND

DIANA I RADER

CONCILIATION SERVICES-SE

**EVIDENTIARY HEARING
MATTER UNDER ADVISEMENT**

Courtroom 402 SEF

Prior to commencement of this proceeding, Petitioner's exhibits 1 through 45 and Respondent's exhibits 46 through 76 are marked for identification.

2:10 p.m. This is the time set for Evidentiary Hearing regarding the custody evaluation and parenting time. Petitioner/Father is present on his own behalf. Respondent/Mother is present and is represented by counsel, Diana I. Rader.

Court Reporter Kim Hannan is present and taking the official record.

A record of the proceedings also is made by audio and/or videotape.

LET THE RECORD REFLECT the Court is in receipt of Petitioner's *Motion for Emergency Order for Temporary Custody without Notice* filed on March 19, 2012, which will be addressed today.

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Discussion is held.

Jeffrey Eneboe and Alisha Freund are sworn.

Alisha Freund testifies.

Respondent's exhibit 46 is received in evidence.

Respondent's exhibit 65 is received in evidence.

Respondent's exhibit 50 is received in evidence.

Respondent's exhibit 66 is received in evidence.

Respondent's exhibit 68 is received in evidence.

Respondent's exhibit 58 is received in evidence.

Respondent's exhibit 62 is received in evidence.

Respondent's exhibit 59 is received in evidence.

Respondent's exhibit 49 is received in evidence.

Respondent's exhibit 72 is received in evidence.

Respondent's exhibit 60 is received in evidence.

Petitioner's exhibit 45 is received in evidence.

With respect to Father's *Motion for Emergency Order for Temporary Custody without Notice*,

IT IS ORDERED denying Father's request for makeup parenting time.

3:24 p.m. Court stands in recess.

3:50 p.m. Court reconvenes, with the parties and counsel for Mother present.

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Court Reporter Kim Hannan is present and taking the official record.

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Discussion is held.

Jeffrey Eneboe testifies.

Petitioner's exhibit 29 is received in evidence.

Respondent's exhibit 48 is received in evidence.

IT IS ORDERED sealing Respondent's exhibit 46, not to be opened until further order of the Court.

THE COURT FINDS that Mother did not violate a temporary Court order by withholding the child when Father tried to demand that he unilaterally re-write a Court order on temporary orders for Sunday parenting time.

IT IS ORDERED that both parties shall separately attend and complete a High Conflict Resolution class within 60 days of the date of this order. Based on this order you will be registered and notified by mail of the date, time, and location of the class. If you have any questions regarding the class to which you have been assigned, please call (602) 506-6124. A **\$50.00** fee is required to attend the class. Please present the instruction form or this Court order with your payment at any Clerk of Superior Court filing counter at least five days prior to your scheduled class. To be admitted, each party must bring a copy of the payment receipt, a copy of the deferral receipt, or a confirmation number of a telephonic transaction to class.

WARNING

IF YOU APPEAR LATE OR ATTEMPT TO ATTEND THE CLASS WITHOUT CONFIRMATION OF PAYMENT (AS DEFINED ABOVE), YOU WILL BE TURNED AWAY FROM THE CLASS. IF YOU FAIL TO ATTEND THE CLASS OR ARE TURNED AWAY, YOU MAY BE REQUIRED TO PAY A \$100.00 NO SHOW FEE. IF YOU CANNOT ATTEND FOR ANY REASON, YOU MUST REQUEST, AND BE GRANTED, PERMISSION TO RESCHEDULE YOUR ATTENDANCE AT LEAST 24 HOURS BEFORE THE SCHEDULED CLASS. PLEASE CALL THE NUMBER LISTED ABOVE IF YOU NEED TO REQUEST TO RESCHEDULE YOUR ATTENDANCE.

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IT IS FURTHER ORDERED setting a telephonic Status Conference on **July 9, 2012, at 9:00 a.m. (time allotted: 30 minutes)** before Honorable Timothy J. Ryan, Courtroom 402, Southeast Facility, 222 East Javelina Avenue, Mesa, Arizona. The parties shall contact the division at (602) 372-3081 five minutes prior to the scheduled hearing. **NOTE:** Please participate in the telephonic conference by using a landline phone, if possible.

IT IS FURTHER ORDERED taking this matter under advisement.

IT IS FURTHER ORDERED by no later than May 3, 2012, counsel for Mother shall submit her application for attorney's fees and costs and by no later than May 17, 2012, Father shall file his response/objection thereto. The Court will then rule summarily.

There being no further need to retain the exhibits currently in the custody of the division clerk,

IT IS ORDERED that the clerk permanently release those exhibits not offered or received in evidence to the counsel/party causing them to be marked or to a written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

5:00 p.m. Hearing concludes.

FILED: Hearing Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.